

# BEST AVAILABLE COPY

PTO/SB/80 (11-04)

Approved for use through 11/30/2005. OMB 0651-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

22470

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number:

22470

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Fax		

Assignee Name and Address:

Gemfire Europe Ltd.  
Starlaw Park  
Starlaw Road  
Livingston EH54 8SF United Kingdom

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

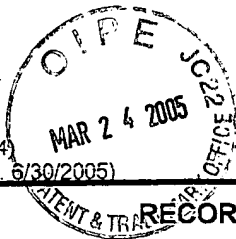
### SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	3/18/05
Name	Richard B. Tompane	Telephone	(510)-438-7500
Title	Chief Executive Officer		

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



RECORDATION FORM COVER SHEET  
**PATENTS ONLY**

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

**1. Name of conveying party(ies)/Execution Date(s):**

Avanex U.K. Limited

Execution Date(s) March 5, 2004

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

**3. Nature of conveyance:**

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Government Interest Assignment  
☐ Executive Order 9424, Confirmatory License  
☐ Other \_\_\_\_\_

**2. Name and address of receiving party(ies)**

Name: Gemfire Europe Limited

Internal Address: \_\_\_\_\_

Street Address: Starlaw Park

Starlaw Road

City: Livingston

State: \_\_\_\_\_

Country: United Kingdom Zip: EH54 8SF

Additional name(s) & address(es) attached? ☐ Yes ☒ No

**4. Application or patent number(s):**

A. Patent Application No.(s)

10/734,110

☐ This document is being filed together with a new application.

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

**5. Name and address to whom correspondence concerning document should be mailed:**

Name: Warren S. Wolfeld

Internal Address: \_\_\_\_\_

Street Address: Haynes Beffel & Wolfeld LLP

P.O. BOX 366

City: HALF MOON BAY

State: CA Zip: 94019

Phone Number: (650) 712-0340

Fax Number: (650) 712-0263

Email Address: wwolfeld@hmbay.com

**6. Total number of applications and patents involved:**

1

**7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00**

- ☐ Authorized to be charged by credit card  
☒ Authorized to be charged to deposit account  
☐ Enclosed  
☐ None required (government interest not affecting title)

**8. Payment Information**

a. Credit Card Last 4 Numbers \_\_\_\_\_  
Expiration Date \_\_\_\_\_

b. Deposit Account Number 50-0869

Authorized User Name Warren Wolfeld

9. Signature: Warren S. Wolfeld  
Signature

March 21, 2005  
Date

Warren S. Wolfeld

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents:

2



**CERTIFICATE OF INCORPORATION  
ON CHANGE OF NAME**

Company No. 3517183

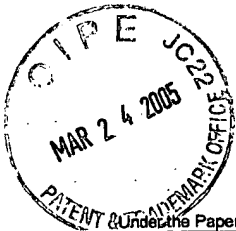
The Registrar of Companies for England and Wales hereby certifies that  
**AVANEX U.K. LIMITED**

having by special resolution changed its name, is now incorporated  
under the name of  
**GEMFIRE EUROPE LIMITED**

Given at Companies House, Cardiff, the 5th March 2004



*Companies House*  
for the record



**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Russell CHILDS et al.

Application No./Patent No.: 10/734,110 Filed/Issue Date: 15 December 2003

Entitled: INTEGRATED OPTICAL DEVICE

GEMFIRE EUROPE LIMITED, a CORPORATION  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: The Inventors To: Alcatel Optronics U.K., Limited  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: Alcatel Optronics U.K., Limited To: AVANEX U.K. LIMITED  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: AVANEX U.K. LIMITED To: GEMFIRE EUROPE LIMITED  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Warren S. Wolfeld March 21, 2005  
Signature Date

Warren S. Wolfeld, Reg. No. 31,454 650-712-0340  
Printed or Typed Name Telephone Number

Attorney  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No. Q74161  
For Non-U.S. Clients

## Assignment

Whereas, We, Russell CHILDS of Edinburgh, Great Britain; Mark VOLANTHEN, of Edinburgh, Great Britain; Johannes BOS of Enschede, Netherlands, Daniel ORTEGA GONZALEZ of Glasgow, Great Britain; Graeme GORDON of Fife, Great Britain; and Antoine PUJOL of Edinburgh, Great Britain, respectively, hereinafter called assignors, have invented certain improvements in INTEGRATED OPTICAL DEVICE and executed an application for Letters Patent of the United States of America therefor on \_\_\_\_\_; and

Whereas,

Alcatel Optronics UK, Limited  
Starlaw Park, Starlaw Road  
Livingston EH548SF, Great Britain

(assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor,

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

We, the above named assignors, hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and we request the Director - U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

We hereby authorize and request our attorneys SUGHRUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number 10/344,347 and Confirmation number 1253, filed February 11, 2003) the application number and filing date of said application when known.

Date:

18<sup>th</sup> Sept 2003

Gordon  
s/Graeme GORDON

Docket No. Q74161  
For Non-U.S. Clients

## Assignment

Whereas, We, Russell CHILDS of Edinburgh, Great Britain; Mark VOLANTHEN, of Edinburgh, Great Britain; Johannes BOS of Enschede, Netherlands, Daniel ORTEGA GONZALEZ of Glasgow, Great Britain; Graeme GORDON of Fife, Great Britain; and Antoine PUJOL of Edinburgh, Great Britain, respectively, hereinafter called assignors, have invented certain improvements in INTEGRATED OPTICAL DEVICE and executed an application for Letters Patent of the United States of America therefor on \_\_\_\_\_; and

Whereas,

Alcatel Optronics UK, Limited  
Starlaw Park, Starlaw Road  
Livingston EH548SF, Great Britain

(assignee), desires to acquire the entire right, title, and interest in the application and invention, and to any United States patents to be obtained therefor;

Now therefore, for valuable consideration, receipt whereof is hereby acknowledged,

We, the above named assignors, hereby sell, assign and transfer to the above named assignee, its successors and assigns, the entire right, title and interest in the application and the invention disclosed therein for the United States of America, including the right to claim priority under 35 U.S.C. §119, and we request the Director - U.S. Patent and Trademark Office to issue any Letters Patent granted upon the invention set forth in the application to the assignee, its successors and assigns; and we will execute without further consideration all papers deemed necessary by the assignee in connection with the United States application when called upon to do so by the assignee.

We hereby authorize and request our attorneys SUGHRUE MION, PLLC of 2100 Pennsylvania Avenue, NW, Washington, DC 20037-3213 to insert here in parentheses (Application number \_\_\_\_\_ and Confirmation number \_\_\_\_\_, filed February 11, 2003) the application number and filing date of said application when known.

Date: 13/3/3 Russell  
s/Russell CHILDS

Date: 2/4/03 M. Volanthen  
s/Mark VOLANTHEN

Date: 10/4/3 J. Bos  
s/Johannes BOS

Date: 13/03/03 Daniel Ortega Gonzalez  
s/Daniel ORTEGA GONZALEZ

Date: 8/5/03 DWP (Attorney Power of Attorney for Graeme Gordon)  
s/Graeme GORDON

Date: 13/03/03 Antoine Pujol  
s/Antoine PUJOL

(Legalization not required for recording but is prima facie evidence of execution under 35 U.S.C. §261)

**FILE COPY**



**CERTIFICATE OF INCORPORATION  
ON CHANGE OF NAME**

Company No. 3517183

The Registrar of Companies for England and Wales hereby certifies that

ALCATEL OPTRONICS UK LIMITED

having by special resolution changed its name, is now incorporated  
under the name of

AVANEX U.K. LIMITED

Given at Companies House, Cardiff, the 1st August 2003



\*C035171830\*



THE OFFICIAL SEAL OF THE  
REGISTRAR OF COMPANIES



*Companies House*

for the record

COMPANIES ACT 1985

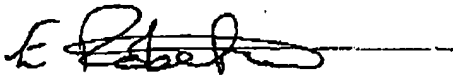
ALCATEL OPTRONICS UK LIMITED

COMPANY LIMITED BY SHARES

COMPANY NO. 3517183

By a written resolution dated 31 July 2003, the following resolution was passed.

THAT the name of the Company be changed to "Avanex U.K. Limited".

  
Attorney for  
D.W. Company Services Limited,  
as Secretary

.....  
Company secretary  
Presented by:  
Dundas & Wilson C.S  
Saltire Court  
20 Castle Terrace  
EDINBURGH, EH1 2EN  
(Reference: HM/DJC/KYM001.0030)







**CERTIFICATE OF INCORPORATION  
ON CHANGE OF NAME**

Company No. 3517183

The Registrar of Companies for England and Wales hereby certifies that  
AVANEX U.K. LIMITED

having by special resolution changed its name, is now incorporated  
under the name of  
GEMFIRE EUROPE LIMITED

Given at Companies House, Cardiff, the 5th March 2004



*Companies House*  
for the record

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**